

District III Advisory Board Minutes
November 5, 2008
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The District III Advisory Board meeting was held at 7 p.m. at the Wichita Water Center at 101 E Pawnee. Ten District Advisory Board members were in attendance; 15 City staff and 21 members of the public were present.

Members Present

Teresa Cook
Judy Dillard
Charlotte Foster
Jim Gulick
Paula Hearn
John Kemp
DeWayne Kitchen
Dustin Richey
Billie Tucker
Bill Ward
Council Member Jim Skelton

Off. Dwain Diehl, Patrol South
Sgt. Brett Stull, Patrol South
Lt. Scott Heimerman, Patrol South
Off. Justin Whyte, Patrol East
Det. Brad Wise, WPD
Division Chief Joseph Couey, WFD
Karen Walker, Park and Rec
Scott Knebel, Planning
Gary Janzen, PW Engineering
Donna Goltry, Planning
Deb Legge, OCI
Julie Irvin, OCI
Harlan Bascombe, OCI
Janet Johnson, Neighborhood Services

Members Absent

Joann Hartig

Staff Present

Off. Chris Welch, Patrol South

Guests

Listed on the last page

ORDER OF BUSINESS

At 7 p.m. **Council Member Jim Skelton** called the meeting to order. The meeting minutes from Oct. 1, 2008, were approved **10-0**.

PUBLIC AGENDA

Scheduled items

No items

Non-Scheduled items

No items

STAFF REPORTS

Community Police Report

Officer Justin Whyte, 34 Beat Patrol East, reported around 200 kids attended the Patrol East Halloween party. He reminded everyone that the holiday season typically sees an increase in robberies, burglaries and larcenies. Also with cold weather approaching, citizens should not leave

their cars unattended while warming them up – car thefts always go up due to this practice. The new Patrol East Community Police Office is now open at 4135 E. Harry.

Officer Dwain Diehl, 24 Beat Patrol South, reported they recently held a meeting with the hotel/motel owners on South Broadway. A state enforcement representative was also present to review state laws and police reviewed city ordinances. He said he hopes the owners/managers now have a better understanding of what is expected of them.

Wichita Fire Department Report

Division Chief Joseph Couey reported construction of the new South City fire station is progressing on schedule. **Council Member Skelton** said when the station opens, he is going to ride out with them on the first call. **Chief Couey** said it had been a busy month in District 3 with 370 medical calls, 15 fire calls, 52 good intention calls and 73 miscellaneous. There was a fire fatality on Bennett and three possible arsons on South Water and South St. Francis, and an accidental fire at 1510 W. Pawnee. He also reported the Fire Department is working on a Comprehensive Strategic Plan. **Billie Tucker** asked a question about what brand of equipment WFD would be purchasing and **Chief Couey** said they don't know yet, it will depend on how the bids come back.

Council Member Skelton thanked the Chief for the report and said he was very honored to have ridden with WFD in the Firefighters Museum Parade.

Action: Receive and file.

NEW BUSINESS

(Due to technical and staffing issues, new business items were not heard in the order as listed on the agenda)

Parks Recreation and Open Space (PROS)

Karen Walker, Park and Recreation, Marla Flentje, Consultant, presented highlights from the PROS draft plan. **Marla** explained that it is a 20-year plan that anticipates city growth out to 2030. The plan was built from a grass roots level up. The major recommendations to come out of the plan are: a park within two miles of every resident, reinvestment in existing parks, a Neighborhood Center within two miles, improved Neighborhood Center programs, expanded and connected trails and more funding.

For the existing parks, the following recommendations are in the plan: Major renovations at 29 sites, minor renovations at 21 sites, site furnishing and signage upgrades at 26 sites and ongoing reinvestment at 49 sites. Recommendations for new park developments are broken down into two categories – “Land Acquisition” which includes 8 sites in the city limits and 15 sites in the 2030 growth area and “Development” which includes 18 sites in city limits (8 new sites and 10 existing sites) and 15 sites in growth area.

In terms of Recreation Centers, the plan recommends a multi-tiered delivery system that makes the best use of existing facilities and fully uses the skills and resources of other agencies.

Estimated funding needs are \$344 million for existing parks projects and \$249 million for new parks projects.

Jim Gulick asked how many pages the draft plan is. Walker said it's 80 pages and can be found on the City website under the Park Department.

Dustin Richey asked if they did individual utilization assessments on parks. **Walker** said no, that would be cost prohibitive, but they do utilization assessments at the Rec Centers.

Teresa Cook questioned the feasibility of having a park and a neighborhood center within two miles of every citizen. **Flentje** reminded everyone that the plan is simply to serve as a guide, it is not a mandate.

Billie Tucker said the Hilltop neighborhood is frustrated because what was originally supposed to be a Community Center is now being used almost exclusively by Head Start.

Charlotte Foster wanted to know if any of the Wichita parks have the same materials as the park in Winfield that caught on fire. **Walker** said unfortunately Wichita parks do suffer from vandalism and someone could potentially start a fire at a park.

Anita Fleming, 5145 S. Ash, asked if there are any plans for walking/bike trails in the South end of the city. **Gary Janzen, Chief Engineer**, said the plans for a bike path from Garvey Park to Planeview Park are currently in design and construction will start in the early spring.

Action: Receive and file.

South Broadway Streetscape Design

Gary Janzen, Chief Engineer for Public Works, and **Jeff Best, Law Kingdon**, presented information on the South Broadway Streetscape design. Funds have been allocated for streetscape improvements along Broadway from Pawnee to the Arkansas River and from Kellogg to Gilbert. The segment between Pawnee and the Arkansas River is in District III. For the north section, between Kellogg and Gilbert, upgraded street and ornamental pedestrian lighting will be installed along both sides of Broadway. Trees will be planted along Broadway and the existing median south of Kellogg will be improved. For the south section, between Pawnee and the Arkansas River, new street lights will be installed on the west side of Broadway. Two raised landscaped medians will be constructed in Broadway between the entrances to the Wal-Mart shopping center. Trees will be planted along both sides of Broadway and in the medians.

Janzen said he expects the project to go before City Council in December and construction to start in January. He pointed out that Council members Skelton and Williams set aside money specifically for this project.

Judy Dillard said she is delighted to see this is finally going to happen.

Officer Diehl asked if Law Kingdon had taken CPTED (Crime Prevention Through Environmental Design) into account when designing the streetscape. **Best** said yes and that all of the proposed trees would have high canopies.

John Kemp (Gulick) made a motion to approve the Broadway streetscape project between Pawnee and the Arkansas River.

Action: Motion passed 10-0.

ZON2008-52/CUP2008-40, Southwest corner of 47th St. S. and Hydraulic Avenue

Donna Goltry, Metropolitan Area Planning, presented a request to create a Commercial Community Unit Plan ("CUP") containing approximately 8.3 acres consisting of five parcels for development. The property is currently zoned SF-5 Single-family Residential ("SF-5") and the proposed zone change is for GC General Commercial ("GC") zoning. The property is located at the southwest corner of 47th Street South and Hydraulic Avenue. Parcel 1 is 1.16 acres in size and is located on the northeast corner of the subject site, right at the intersection of 47th Street South and Hydraulic Avenue. Parcel 2 is 0.71 acres in size and is located just west of Parcel 1, along 47th Street South in the north central part of the proposed CUP. Parcel 3 is 0.92 acres in size and is located west of Parcel 2, along 47th Street South in the northwest part of the proposed CUP. Parcel 4, the largest parcel, is 4.71 acres in size and occupies approximately the southwest half of the subject site. Parcel 5 is 0.75 acres in size and is located south of Parcel 1, along Hydraulic Avenue in the southeast part of the proposed CUP.

Tim Austin, Poe and Associates, said this is a difficult site, especially with the high traffic counts.

Judy Dillard asked what the developer is planning on putting in the area. **Austin** said there are no definitive plans at this point. **Dillard** asked if it was going to be a strip mall. **Austin** said it could be.

Dillard confirmed that drinking establishments/restaurants would be allowed, but drinking establishments only would not. **Austin** said yes, a good example would be like an Applebee's that is primarily a restaurant, but also serves alcohol. **Dillard** also confirmed that no businesses with outdoor audio systems would be allowed.

Dillard approved of the language in condition number four because it addresses the mismatch in zoning and usage, but she expressed concern over off site signs. She said she is particularly opposed to LED lights near residential areas.

John Kemp said he was also very concerned about the sign issues and that he didn't really understand the sign formula that Austin quoted. **Austin** said he believed the developer would be open to limitations on LEDs located by residences.

Bill Ward wanted to know if the restrictions would exclude car washes. **Austin** said no, but it would have to come back as a conditional use. **Goltry** said she wasn't sure about that based on the language that is being used to address the zoning/use mismatch.

Charlotte Foster said she lives near Kellogg and Woodlawn and she can hear the phone pages of businesses in the area. She emphasized this is not a good thing for residential areas.

Jim Whalen, 5130 S. Madison, said he has lived in the area for 53 years. He wanted to know if there would be an access to the property from Hydraulic. **Austin** said they have talked to a traffic engineer and there will be two access points off Hydraulic and two off 47th Street. **Whalen** asked how this property would be impacted when the 47th Street Interchange is re-done. **Austin** said obviously they would like for the street to be wider, but it will come down to a question of funding.

Cameron Bruce, 4905 S. Hydraulic, lives in the adjacent property and he said when he purchased his house there were four other houses and a school, but those have now all been torn down. He said the developer offered to purchase their home, but with the economy the way it is, he wasn't able to secure another loan, so he's stuck at the Hydraulic property. **Bruce** said he didn't want to impede progress, but he can't afford to build a retaining wall and he is worried about how it's going to affect the value of his home. **Austin** said that per the zoning code, the developer would be required to put up a 6 foot masonry screen wall in addition to landscape buffering.

Judy Dillard said this project is one of the things the area has been hoping for and based on the past actions of the developer, she felt confident he would work with the Bruces so their property would have minimal negative impact.

Dillard (Kemp) made a motion to approve the request subject to replatting within one year, and subject to the conditions listed in the staff report.

Action: Motion passed 10-0.

Overview of condemnation, VNR and abatement cases

Deb Legge, Julie Irvin and Harlan Bascombe, OCI, presented information on the 2008 condemnation, VNR and abatement cases. **Legge** reported they initiated 61 new cases this year, which is up 15 from last year, with the bulk of them being in District 1.

Irvin reported that during the two years of the VNR project, 994 cases had been initiated and 515 of them were successfully closed. She said 74 were razed and 345 owners registered properties. Properties that are not in compliance are now accruing penalties and will ultimately be sent to a collection agency. There were 109 cases in District 3 and 52 have been closed.

Bascombe announced Debra Shauers is now assigned to a section of District 3. He said OCI made some changes in their case management system. He explained there were too many cases coded EVM, so they implemented new case types: NN – Neighborhood Nuisance and TGW – Tall Grass and Weeds. He also reported on special projects that were conducted in Districts 1 and 3 to address inoperable vehicles.

Council Member Skelton asked where the money that is being collected on VNR cases is being spent. **Legge** said that hasn't been determined yet. She said so far they have collected around \$10,000, but have the potential of collecting \$170,000. **Council Member Skelton** said he would like to see the money spent on additional inspectors.

Charlotte Foster asked if some of the people who have open VNR cases are deceased. **Legge** said yes and in those cases, the City is working with the County to get a lien against the property.

Judy Dillard said she is pleased with what is happening in terms of code enforcement.

John Kemp asked who he should contact about tall grass. **Harlan Bascombe** is the contact.

Bill Ward asked how OCI deals with people who play games and won't do anything about correcting their violations until just before the deadline. **Legge** said State law mandates how the notices are sent, but in terms of tgw, they only have to send one notice and any violations after that can go straight to abatement.

Council Member Skelton said he would still like to see a change in the ordinances where tickets can be issued immediately as opposed to having to go through the court process first. He said the current system seems backwards.

Action: Receive and file.

ZON2008-34/CUP2008-00024 DP 261, location south of Kellogg and east and west of Oliver
Donna Goltry, Metropolitan Area Planning, presented a request a request to amend DP-261 Oliver Retail Community Unit Plan to add 3.4 acres and five parcels to the CUP. DP-261 was originally approved in 2002 for five acres lying east and west of Oliver Avenue south of Kellogg, extending to the south to Orme Street. The expansion area is located (1) east and west of Dellrose Avenue north of Orme Street, (2) on the east side of Pershing Avenue extending 50 feet south of the CUP boundary and (3) between Oliver Avenue and Glendale Avenue extending 120 feet south of existing CUP boundary (including Eilerts Street right-of-way). Total acreage with the proposed expansion is 8.54 acres.

Goltry said this property has a complicated and convoluted history and the agents have been working with the Planning Department on it since June. She said a traffic study has been completed and the applicant is underwriting some of the Oliver improvements. She said the agent has complied with everything that has been asked of them.

Tom Ruggles, agent, said they have been working with Paul Gunzelman at the City on the traffic study and he also said this has nothing to do with Wal-Mart. They are proposing a neighborhood oriented development with no on-street parking.

John Kemp asked what businesses will go in. **Ruggles** said they aren't sure yet, but many of the conditions that applied to the previous case heard would also apply here, such as no drinking establishments.

Billie Tucker said there are nearly 500 students who attend Jefferson Elementary and that traffic is miserable in the area when school convenes and lets out. He said parking is at a bare minimum. **Ruggles** said he is aware of Jefferson's issues and concerns and he doesn't see how the project would have a negative impact on Jefferson, especially once the turn lanes are added.

Dustin Richey asked if there is an entrance off Orme. **Ruggles** said there is one entrance.

Debby Cain, 4815 E. Orme, was present representing the neighborhood. She made several requests on behalf of the neighborhood. 1. That Pershing be made a real cul-de-sac with no outlet from the north end of the street. 2. That a durable 12-foot-high wall be constructed on the west border of the project. 3. That security lighting shine away from the homes. 4. That no businesses be allowed to stay open late in the evening.

Ruggles said lighting is already restricted by the CUP and that the wall is outside the realm of this project.

Charlotte Foster said she can hear the phone pages for a business located three blocks away from her home and she wants to make sure there is nothing like that in this project.

Gulick (Kemp) made a motion to approve the request subject to replatting within one year, and subject to the conditions listed in the staff report.

Action: Motion passed 10-0.

BOARD AGENDA

Updates, Issues and Reports

John Kemp said K-15 will have a clean up this weekend and he has had great success getting help via County Work Release. He also announced they will be planting trees in April in conjunction with their flood control project.

Council Member Skelton reported he recently met with District 3 neighborhood leaders and the railroad overpass and 47th street projects continue to be high on his agenda. He said the stimulus package being explored by the federal government could be a good thing for these projects.

Elena Ingle, 3608 Meadow Lane, said the work that has been done under the bridge on Mt. Vernon looks great.

Action: Receive and file.

Meeting was adjourned.

The next regularly scheduled meeting for District Advisory Board III will be held at 7 p.m., Dec. 3, 2008, at the Water Center at 101 E. Pawnee.

Respectfully submitted,

Janet Johnson, Neighborhood Assistant – District III

Guests

Paul Davis	6417 S. Madison
Bill Barnes	2707 S. Hillside
Goldie Barnes	2707 S. Hillside
Elena Ingle	3608 Meadow Lane
Donna Thorton	2714 Southfork
Claudia Lee	2826 Greenwood
Cameron Bruce	4905 S. Hydraulic
Megan Bruce	4905 S. Hydraulic
Jim Whalen	5130 S. Madison
Jean Whalen	5130 S. Madison
Joe Fleming	5145 S. Ash
Anita Fleming	5145 S. Ash
Dale Churchman	1357 S. Broadway
Vicki Churchman	1357 S. Broadway
Tim Austin	
Harold Childress	2925 Evans
Jeff Best	2129 S. Milstead
Jay Maxwell	
Jim Cain	4815 E. Orme
Debby Cain	4815 E. Orme
Marla Flentje	